

Seth v. DH/T

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN CARFAGNO, derivatively on behalf of
CENTERLINE HOLDING COMPANY,
Plaintiff,
v.

MARC D. SCHNITZER, *et al.*,

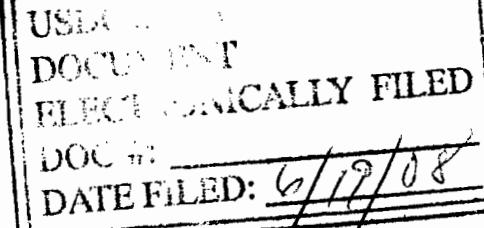
Defendants.

TONY BROY, derivatively and on behalf of
Nominal Defendant CENTERLINE HOLDING
COMPANY,
Plaintiff,
v.

JEFF T. BLAU, *et al.*,

Defendants.

08-CV-00912-SAS



08-CV-01971-SAS

STIPULATION AND [PROPOSED] ORDER

The parties have conferred and agree to the following schedule to be
entered by the Court in the above-captioned matter:

WHEREAS, defendants filed a motion to dismiss on May 12, 2008;

WHEREAS, plaintiff John Carfagno ("Carfagno") filed his opposition to
defendants' motion to dismiss on June 5, 2008;

WHEREAS, defendants were to file a reply on or before June 19, 2008;

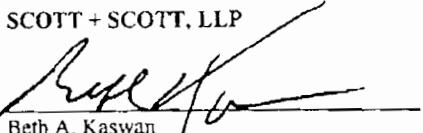
WHEREAS, discovery is proceeding, defendants have produced over
77,000 pages of documents to plaintiff Carfagno, and plaintiff Carfagno's counsel has
noticed and taken the depositions of five individuals in connection with this litigation;

WHEREAS, the parties agree that judicial economy is best served by the Court's consideration of the issues in this litigation on the factual record, the parties hereby stipulate and agree, subject to the Court's approval, that:

1. Defendants' motion to dismiss is hereby withdrawn without prejudice; and
2. The parties will promptly meet and agree upon an appropriate scheduling order to be entered in this matter.

Dated: June 19, 2008
New York, NY

SCOTT + SCOTT, LLP


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Counsel for the Defendants Related Companies, Ross and Blau

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Jennifer F. Beltrami
*Counsel for Nominal Defendant Centerline Holding
Company*

A conference is scheduled for May 30, 2008, at 4:00 p.m.

SO ORDERED:

Shira A. Scheindlin
The Honorable Shira A. Scheindlin
U.S. District Judge

6/19/08